

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRUCE N. SAFFRAN, M.D., Ph.D.

Plaintiff,

V.

BOSTON SCIENTIFIC CORPORATION,
a Delaware Corporation,

Defendant.

Civil Action No. 2:05cv547-TJW

Jury

DEFENDANT'S TRIAL WITNESS LIST

A. WITNESSES EXPECTED TO BE CALLED AT TRIAL¹

1. William H. Kucheman (in person)
Senior Vice President and Group President, Interventional Cardiology,
Boston Scientific Corporation
2. Scott T. Bluni, Esq. (in person and/or by video deposition)
Former Vice President and Chief Patent Counsel, Cardiovascular, Boston
Scientific Corporation
3. Dr. James J. Barry (in person)
Senior Vice President, Corporate Technology Development, Boston
Scientific Corporation
4. Dr. Bruce N. Saffran (in person and/or by video deposition)
Plaintiff
5. Vishva Dev, M.D. (in person)
Director, Cardiology
Los Robles Hospital
Thousand Oaks, CA

1 Boston Scientific reserves the right to amend this list to include witnesses whose depositions are taken after
the service date of this witness list

6. Thomas L. Lambert, M.D. (in person)
Las Vegas, Nevada
7. Dr. Harold B. Hopfenberg (in person)
Expert for Boston Scientific Corporation
8. Dr. Abram Charles Rabinowitz (in person)
Expert for Boston Scientific Corporation
9. James T. Davis (in person)
Expert for Boston Scientific Corporation
10. Kevin Faulkner (in person)
Expert for Boston Scientific Corporation

B. WITNESSES WHO MAY BE CALLED AT TRIAL

11. Gidon D. Stern, Esq. (in person)
Attorney, Jones Day
12. Doug Godshall (in person and/or by video deposition)
President and CEO, Heartware, Inc, formerly President of Vascular
Surgery, Boston Scientific Corporation
13. S. Nahum Goldberg (in person and/or by video deposition)
Associate Professor, Harvard Medical School
Director of Abdominal Radiology and Intervention, Beth Israel Deaconess
Hospital
14. Zalman Jacobs (in person and/or by video deposition)
Leucadia National Corporation

Respectfully submitted,

BOSTON SCIENTIFIC CORPORATION
By its attorneys,

November 7, 2007

/s/

Melissa Smith
State Bar No. TX 24001351
GILLAM & SMITH, LLP
303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-8257
E-mail: melissa@gillamsmithlaw.com

Melvin R. Wilcox, III
State Bar No. TX 21454800
SMEAD, ANDERSON & DUNN LLP
2110 Horseshoe Lane
PO Box 3343
Longview, Texas 75606
Telephone: (903) 232-1892
Facsimile: (903) 232-1881
E-mail: mrw@smeadlaw.com

Elizabeth Gardner
John W. Bateman
KENYON & KENYON LLP
One Broadway
New York, NY 10004
Telephone: (212) 425-7200
Facsimile: (212) 425-5288
E-mail: egardner@kenyon.com
E-mail: jbateman@kenyon.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 7th day of November 2007.

/s/

Melissa Smith